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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,535	03/08/2002	Mats Stille	3670-45	8875

7590 08/12/2004

NIXON & VANDERHYE P.C.  
1100 North Glebe Rd., 8th Floor  
Arlington, VA 22201-4714

EXAMINER

AMINZAY, SHAIMA Q

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 08/12/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/092,535

Applicant(s)

STILLE ET AL.

Examiner

Shaima Q. Aminzay

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### ***DETAILED ACTION***

1. This action is responsive to communications: Application Filed: 03/08/2002.
2. Independent Claims 1, 11, and dependent claims 2-10, and 12-20 are pending in the case.
3. The present title of the application is "Method and device for a shared radio network".

### ***NON-FINAL ACTION***

#### ***Objection***

***Priority:*** If applicant desires priority under 35 U.S.C. 119e based upon a previously filed application, specific reference to the earlier filed application must be made in the instant application. For benefit claims under 35 U.S.C. 120, 121 or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications. This should appear as the first sentence of the specification following the title, preferably as a separate paragraph unless it appears in an application data sheet. The status of nonprovisional parent application(s) (whether patented or abandoned) should also be included. If a parent application has become a patent, the expression "now Patent No. 10/092535" should follow the filing date of the parent application. If a parent application has become abandoned,

the expression "now abandoned" should follow the filing date of the parent application.

If the application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C. 119(e), 120, 121 and 365(c). A priority claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed claim for priority under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director

may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

### ***Claim Rejections - 35 USC § 103***

◆ The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

◆ Claims 1-20 are rejected under 35 U.S.C.103(a) as being unpatentable over Purnadi et al. U. S. Patent 6708031B2, and in view of Chow et al. U. S. Patent 6456839B1.

4. Regarding claims 1, and 11, Purnadi discloses a system for determining which one of the owners of a shared radio network that a visiting mobile terminal and which mobile terminal (MT) is not subscribed to any of the owners of the shared radio network (see for example, column 2, lines 11-15, and column 4, lines 25-36, determining the visiting mobile terminal in the shared network and MT subscribed to shared network), and connected by deriving information from the mobile terminal concerning its identity (see for example, column 2, lines 11-

15, column 5, lines 11-15, and lines 41-48).

However, Purnadi does not disclose device comprises means for determining which one of said owners said visiting MT is going to be connected based on the derived information.

Chow discloses means for determining which one of the visiting MT is going to be connected based on the derived information (see for example, column 3, lines 37-42, column 16, lines 44-67 continued to column 17, lines 1-6, determining the visiting MT connection based on derived information).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Chow's mobile system visiting MT connection based on derived information with Purnadi's mobile communication system "which a subscriber initiates a new session or visits a network other than their own network (roam)" (Purnadi, column 2, lines 13-15) to provide a mobile communication system the subscribers do not lose a call in progress as they move from one subscribed zone to another subscribed zone or to one or more visiting cell and to provide mobile connection based on the mobile's identification information without having to obtain service personnel assistance (Chow; see for example, column 2, lines 8-17, column 16, lines 45-54).

5. Regarding claims 2, 3, 7, 12, 13, 17, and 22, Chow and Purnadi disclose claims 1, 6, 11, 16, and further Chow discloses shared radio network uses Global Packet Radio Service and Universal Mobile Telecommunications System (see for

example, column 2, lines 16-18, and lines 49-52, column 3, lines 25-26, and lines 53-59).

6. Regarding claims 4, and 14, Chow and Purnadi disclose claims 1, 11, and further Chow discloses shared radio network uses the radio system Global System for Mobile communication (see for example, column 3, lines 50-52).
7. Regarding claims 5, and 15, Chow and Purnadi disclose claims 1, 11, and further Chow discloses shared radio network uses any of the radio systems Code Division Multiple Access or Time Division Multiple Access (see for example, column 4, lines 45-47).
8. Regarding claims 6, and 16, Chow and Purnadi disclose claims 1, 11, and further Chow discloses wherein the IMSI (International Mobile Subscriber Identity) of the visiting MT is used for deriving information concerning the identity of said visiting MT (see for example, column 5, lines 11-15).
9. Regarding claims 8, and 18, Chow and Purnadi disclose claims 7, 17, and further Chow discloses said shared radio network uses any one of the following radio systems: UMTS, GSM, CDMA or TDMA (see for example, column 2, lines 16-18, and lines 49-52, column 3, lines 25-26, and column 4, lines 45-47).
10. Regarding claims 9, and 19, Chow and Purnadi disclose claims 2, 12, and further Chow discloses list in the SGSN (Switching GPRS Support Node) of said shared radio network for comparison with the derived information concerning the identity of the visiting MT (see for example, column 3, lines 53-59).

11. Regarding claims 10, and 20, Chow and Purnadi disclose claims 9, 19, and further Chow discloses the shared radio network uses any one of the following radio systems: UMTS, GSM, CDMA or TDMA (see for example, column 3, lines 25-26, and lines 50-52).



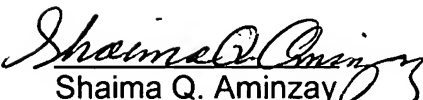
### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 form.


### ***Inquiry***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Shaima Q. Aminzay  
(Examiner)

July, 29, 2004

  
~~Nay Maung~~ EDAN ORBAD  
(SPE)  
Art Unit 2684